

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Pacesetter Inc., a Delaware corporation,
and St. Jude Medical S.C., Inc.,

Civil No. 02-1337 (DWF/SRN)

Plaintiffs,

v.

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Cardiac Pacemakers, Inc., a Minnesota
corporation, and Guidant Sales Corporation,
an Indiana corporation,

Defendants.

Denis R. Salmon, Esq., H. Mark Lyon, Esq., Gibson Dunn & Crutcher; Jeffrey M. Olson, Esq., Matthew S. Jorgenson, Esq., Paul H. Meier, Esq., Samuel N. Tiu, Esq., Sidley Austin LLP; and Michael A. Lindsay, Esq., Dorsey & Whitney LLP, counsel for Plaintiffs.

David J. F. Gross, Esq., Felicia J. Boyd, Esq., James W. Poradek, Esq., Julie Knox Chosy, Esq., Kenneth A. Liebman, Esq., Randall E. Kahnke, Esq., Jonathan W. Dettmann, Esq., and William L. Roberts, Esq., Faegre & Benson LLP, counsel for Defendants.

Richard G. Wilson, Esq., and William Z. Pentelovitch, Esq., Maslon Edelman Borman & Brand, counsel for Objectors Medtronic, Inc., and Vitatron USA.

Based on the stipulation of the parties filed with the Court on August 7, 2006 (Doc. No. 278), the Second Amended Complaint is **DISMISSED WITH PREJUDICE**, and all pending motions for relief are deemed withdrawn. Each party will bear its own costs and attorneys fee.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 9, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court